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DATE: August 13, 2004  
TO: Commissioner for Patents  
ATTENTION: Examiner Tho V. Duong  
Art Unit 3743  
FACSIMILE NO.: 1 (703) 872-9306  
FROM: Timothy E. Nauman, Reg. No. 32,283  
RE: U.S. Patent Application Serial No. 09/989,277; filed November 20, 2001  
Attorney Docket No. : CLWZ 2 00098-1-2(I)

Total number of pages (including this cover sheet): 5  
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By: Mary M. Schriner  
Mary M. Schriner

Date: August 13, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Frederic Lagace, et al.  
FOR : VENTILATION SYSTEM  
SERIAL NO. : 09/989,277  
FILED : November 20, 2001  
ART UNIT : 3743  
EXAMINER : Tho V. Duong  
Confirmation No. : 1192  
ATTORNEY DOCKET NO. : CLWZ 2 00098-1-2(I)

**AMENDMENT AND RESPONSE TO  
ELECTION/RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 13, 2004 requiring an election of a single disclosed species for prosecution on the merits, Applicants elect, without traverse, Species 1, shown in Figure 25, claims 25-50. Further, applicants elect, the subspecies of claim 38 with respect to further prosecution on the merits.

Applicants' election is made without traverse and without prejudice to applicants' right to consideration of claims to additional species which are written in dependent form to pursue protection for the claims of Species 1. As noted by the

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I certify that this Response to Election/Restriction Requirement is being transmitted to centralized facsimile number 703-872-9306 under 37 C.F.R. 1.8 on the date indicated below.

August 13, 2004	<i>Mary M. Schriner</i> Mary M. Schriner
Date	

U.S. Serial No. 09/989,277  
Amendment and Response to Restriction Requirement  
Mailed July 13, 2004

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Examiner, upon the allowance of the generic claim, applicant will be entitled to consideration of these claims as provided by 37 C.F.R. § 1.141.

Further, amendment to the specification is made starting on page 3 of this paper.